

Kline on the Works Principle in the Mosaic Economy: An Exposition

Charles Lee Irons, Ph.D.

4/25/2015

This paper provides an overview and exposition of Meredith G. Kline's thought on the subject of the Mosaic covenant. It is structured in three parts:

- Part I: An Overview of Kline's View of the Mosaic Covenant
- Part II: Responses to Five Misrepresentations of Kline's View
- Part III: Five Reasons Why This Issue Was Important to Kline

This was originally a series of blog posts that I began on March 22, 2015 and completed on April 3, 2015.¹ I have combined all of the posts into this document. They are reproduced here with slight edits.

The quotes in this paper are drawn from the following books and articles by Kline, and the books are cited using the abbreviations noted here:

- By Oath Consigned* (= BOC)
- Glory in Our Midst* (= GOM)
- God, Heaven and Har Magedon* (= GHHM)
- Kingdom Prologue* (= KP)
- The Structure of Biblical Authority* (= SBA)
- "Of Works and Grace" (1983)² – Kline's critical review of a book by Daniel Fuller
- "The Gospel until the Law: Rom 5:13-14 and the Old Covenant" (1991)³
- "Covenant Theology Under Attack" (1994)⁴

An important piece of background to this paper is a 17-page document that I compiled containing most of the key quotes by Kline on the topic of the works principle in the Mosaic economy.⁵ This paper is my attempt to provide an exposition and explanation of Kline's view of the Mosaic covenant based on those quotes. I would encourage the reader to download that companion document and read it first. It is important to hear Kline in his own words.

¹ <http://upper-register.typepad.com/blog>

² <http://www.meredithkline.com/klines-works/articles-and-essays/of-works-and-grace>

³ http://www.etsjets.org/files/JETS-PDFs/34/34-4/34-4-pp433-446_JETS.pdf

⁴ http://www.upper-register.com/papers/ct_under_attack.html

⁵ <http://www.upper-register.com/papers/works-principle-mosaic-economy.pdf>

Part I: An Overview of Kline's View of the Mosaic Covenant

A. Brief Statement of Kline's View

What is Kline's view of the works principle in the Mosaic economy? This paragraph from *Kingdom Prologue* provides an excellent brief statement:

"The Mosaic economy, while an administration of grace on its fundamental level of concern with the eternal salvation of the individual, was at the same time on its temporary, typological kingdom level informed by the principle of works. Thus, for example, the apostle Paul in Romans 10:4ff. and Galatians 3:10ff. (cf. Rom 9:32) contrasts the old order of the law with the gospel order of grace and faith, identifying the old covenant as one of bondage, condemnation, and death (cf. 2 Cor 3:6-9; Gal 4:24-26). The old covenant was law, the opposite of grace-faith, and in the postlapsarian world that meant it would turn out to be an administration of condemnation as a consequence of sinful Israel's failure to maintain the necessary meritorious obedience. Had the old typological kingdom been secured by sovereign grace in Christ, Israel would not have lost her national election. A satisfactory explanation of Israel's fall demands works, not grace, as the controlling administrative principle" (KP 109).

For Kline, the Mosaic economy is like a two-layer cake. It has (1) a foundational layer that has to do with the eternal salvation of the individual and (2) a superimposed top layer that has to do with Israel's retention of the land. The foundational layer is governed by grace; the top layer is governed by works. The foundational layer is an administration of the one covenant of grace that begins as a promise in Gen 3:15, is formally established in the Abrahamic covenant, and is fulfilled in the new covenant in Christ. The superimposed layer has to do with the typological kingdom that national Israel enjoyed with God dwelling in her midst in the temple in the land. The underlying level has to do with the salvation of the individual Israelite. The superimposed layer has to do with Israel as a corporate whole, as a nation.

One of the key things, in Kline's mind, that proves that the superimposed layer was governed by the works principle is the fact that Israel failed to keep the Mosaic law, was exiled from the land, and lost her national election – i.e., lost the top layer. The only way to explain the failure and fall of Israel (like the failure and fall of Adam) is to recognize that Israel as a nation was under a covenant of works (like Adam). Again:

"Had the old typological kingdom been secured by sovereign grace in Christ, Israel would not have lost her national election. A satisfactory explanation of Israel's fall demands works, not grace, as the controlling administrative principle" (KP 109).

You have to admit, that is a pretty good argument! Eternal life and salvation in Christ can never be lost, because it is guaranteed by Christ's perfect fulfillment of the law, his merit. Heaven has been earned for the elect as a non-forfeitable possession, secured in Christ, and irrevocable. Salvation is not conditional on our obedience. Israel's possession of the land, however, was forfeitable and revocable. It was conditional on Israel's obedience. Therefore, the controlling administrative principle must have been works, not grace.

B. The Two-Layer Cake

It is very important to understand that Kline viewed the Mosaic economy as a two-layer cake. The underlying layer (what he called "the substratum") is an administration of grace having to do with the eternal salvation of the individual elect Israelites. The overlying layer is what he called "the tupal kingdom." The tupal kingdom is the land of Israel, a territory completely set apart as holy unto God, functioning as a theocracy, focused on the central temple where God dwells and reigns as King over his people. It is a picture or type of the eschatological kingdom of the new heavens and the new earth. Just as the new heavens and new earth will be free from all evil, a new creation "in which righteousness dwells" (2 Pet 3:13), so the tupal kingdom of Israel was to be rid of Canaanites and idolaters. Just as the eschatological kingdom will be ushered in by purifying judgment, so the tupal kingdom was ushered in by Joshua's conquest and the devoting of the idolatrous inhabitants of the land to destruction.

You might be wondering where Kline got this two-layer metaphor. At first it looks like a neat visual metaphor that Kline just made up. He was a very visual and poetic thinker, so it is a plausible theory. However, there is both an exegetical basis and a biblical-theological basis for Kline's two-layer cake.

(1) Its Exegetical Basis

Kline got the two-layer metaphor from Paul in Gal 3:15-19, where he teaches that the Abrahamic covenant was not annulled by the coming of the Mosaic law, nor did the Mosaic law change the terms of the Abrahamic covenant by making the promise dependent on law-keeping. Rather, the law was "added" or "superimposed" (v 19) until the coming of the Seed promised in the Abrahamic covenant. Here is the paragraph:

¹⁵ To give a human example, brothers: even with a man-made covenant, no one annuls it or *adds to it* (ἐπιδιατάσσεται) once it has been ratified. ¹⁶ Now the promises were made to Abraham and to his offspring. It does not say, "And to offsprings," referring to many, but referring to one, "And to your offspring," who is Christ. ¹⁷ This is what I mean: the law, which came 430 years afterward, does not annul a covenant previously ratified by God, so as to make the promise void. ¹⁸ For if the inheritance comes by the law, it no longer comes by promise; but God gave it to Abraham by a promise. ¹⁹ Why then the law? It was *added* (προσετέθη) because of transgressions, until the offspring should come to whom the promise had been made. (ESV)

Verse 18 is critical: "For if the inheritance comes by the law, it no longer comes by promise; but God gave it to Abraham by a promise." This verse makes clear that for Paul "the law" and "the promise" are opposed to one another. In the one, the inheritance is by works; in the other, it is by grace. And yet somehow the two principles, though coexisting in the Mosaic era, are not ultimately in conflict. How can this be?

The key is to note that there are two different Greek verbs translated similarly in English as "add to" and "add." The first verb, ἐπιδιατάσσομαι (v 15), rendered by the ESV as "add to," is a

technical term for adding a later codicil to a covenant (or will) that changes the terms of the covenant (or will). The NASB's rendering, "adds conditions to it," is more precise.

The second verb, προστίθημι (v 19), rendered by the ESV as "add," has a different nuance. In this context it has the sense of a temporary, removable overlay, since it is clear that the law was "added" in such a way that it did not annul or modify the underlying Abrahamic covenant. It was given with a terminus in view, "until the Seed should come." Or, as Paul will explain a few verses later, the law was a guardian or pedagogue for Israel in her minority "until the date set by the father" (Gal 3:24; 4:2). In the fullness of time, God sent forth his Son, born of a woman, born under the law, so that the Abrahamic promise, which was there all along, might be brought to fulfillment and the people of God might take up the inheritance no longer as slaves but as sons (Gal 4:1-7).

So the principle of inheritance by law and the principle of inheritance by grace coexisted in the Mosaic era, without the law canceling or annulling the promise, because the law was "added" as a temporary overlay but not as a codicil that modified the terms of the Abrahamic covenant. Kline appeals to this key passage (Gal 3:15-19) again and again in his writings. For example:

"On the classic covenantal understanding, the law that came 430 years later did not disannul the promise (Gal 3:17) – not because the old covenant did not really introduce an operative works principle, but because works and faith were operating on two different levels in the Mosaic economy" ("Gospel until the Law," 436).

(2) Its Biblical-Theological Basis

Not only did Kline derive the two-layer metaphor from Paul in Gal 3:15-19, but he further developed the metaphor by his biblical-theological analysis of the Abrahamic covenant itself. The Abrahamic covenant was God's promise concerning the seed and the land. Everyone knows that. However, what most miss (especially dispensationalists) is that God's promise to Abraham was fulfilled in two stages. The first-level fulfillment was unfolded historically in the formation of the nation (the seed) and the bringing of the nation into the promised land. This first-level fulfillment of the Abrahamic promise is actually a long process that begins with the exodus, continues in the conquest of Canaan, takes many generations to drive out the Canaanites from God's holy realm, and culminates under Solomon when the temple is finished. The kingdom of God finally arrived when God was dwelling in the midst of his people, in his holy temple, in the holy land, and exercising his authority through his appointed vassal king, the anointed son of David.

But this first-level fulfillment was not the true fulfillment. It was only a "typal kingdom" pointing ahead to the eschatological fulfillment in Christ. Christ is really "the Seed" that the promise referred to (Gal 3:16), and all who belong to Christ are Abraham's offspring in the collective sense (Gal 3:29). And the land that God promised Abraham, with God dwelling in it as a holy kingdom, was not some earthly real estate but the new heavens and the new earth (as Hebrews 11 makes clear).

And yet, all during the time of the first-level fulfillment, generations of godly individual Israelites were able to see in and through the types and shadows, especially in the sacrificial system, the coming Seed and his atoning sacrifice, so that they were saved, forgiven, and justified by faith in the Messiah to come.

“The Mosaic economy [was] an administration of grace on its fundamental level of concern with the eternal salvation of the individual” (KP 109).

“Paul, perceiving the works principle in the Mosaic law economy, was able to insist that this did not entail an abrogation of the promises of grace given to Abraham, Isaac, and Jacob centuries earlier (Gal 3:17), precisely because the works principle applied only to the typological kingdom in Canaan and not to the inheritance of the eternal kingdom-city promised to Abraham as a gift of grace and at last to be received by Abraham and all his seed, Jew and Gentile, through faith in Christ Jesus” (KP 237).

God did not give the Mosaic law with its works principle to be the means by which the individual elect Israelite would be saved. Personal salvation was always administered, in every epoch of redemptive history, including the Mosaic epoch, through the promise, that is, through the Abrahamic covenant of grace, founded as it was on the paradigm of Abraham’s own soteriological experience, “Abraham believed God and it was counted to him as righteousness” (Gen 15:6).

Kline’s analysis of the Abrahamic promise as finding fulfillment in two stages (the first-level typological fulfillment in the land, and the second-level antitypical fulfillment in Christ and the eschaton), combined with a recognition that individual Old Testament believers were saved by faith as they looked ahead to the antitype through the type, provides further support for the concept of the two-layer cake.

Next, I’ll answer the question: If God did not give the Mosaic law and its works principle to Israel to be a means for individuals to be saved and attain eternal life, why did God give the Mosaic law and establish this second typological layer?

C. Why did God Give the Mosaic Law?

God did not give the Mosaic law with its works principle to the Israelites to be a means of their salvation. But if it wasn’t intended to be a means of salvation, why did God set up this typological kingdom informed by the principle of works? Even though it was not given to be a means of salvation, it was given in order to advance the plan of salvation. It does so in two ways – the pedagogical function of the law and the Christological function of the law.

First, it shows Israel (and by extension all humanity) their need and drives them to Christ (the pedagogical function of the law):

“The Law covenant was a sub-administration of the Covenant of Grace, designed to further the purpose and program of the gospel. By exhibiting dramatically the situation of

all mankind, fallen in and with Adam in the original probation in Eden, the tragic history of Israel under its covenant-of-works probation served to convict all of their sinful, hopeless estate. The Law thus drove men to Christ that they might be justified by faith. All were shut up in disobedience that God might have mercy on all (Rom 11:28-36; Gal 3:19-25)" (GHHM 128-29).

Second, it sets the historical context for the incarnation (the Christological function of the law):

"In accordance with the terms of his covenant of works with the Father he was to come as the second Adam in order to undergo a representative probation and by his obedient and triumphant accomplishment thereof to establish the legal ground for God's covenanted bestowal of the eternal kingdom of salvation on his people. It was therefore expedient, if not necessary, that Christ appear within a covenant order which, like the covenant with the first Adam, was governed by the works principle (cf. Gal 4:4)" (KP 352).

As a result of both the pedagogical and Christological functions of the law, it becomes clear that the works principle is the foundation of the gospel, since we are saved by perfect obedience – not ours, but Christ's.

"Law is thus foundational to gospel; gospel-grace honors the demands of divine justice as definitively expressed in law covenant. In Rom 3:31 Paul makes this point forcefully: 'Do we then make the law of none effect through faith? God forbid; nay we establish the law.' ... Even though he is arguing that we are justified not by works but by grace through faith, [Paul] insists emphatically on the continuing validity of the works principle as foundational to the gospel order. It is by the obedience of the one that the many are made righteous (Rom 5:19)" (GOM 237).

It doesn't get much clearer than that! It is all about the gospel of free grace, through the law-fulfilling work of the second Adam. Understanding the works principle in the Mosaic economy opens up new vistas in our appreciation of the wonderful salvation that God had accomplished for us through his obedient Son in whom the demands of justice and mercy are fully met. That was Kline's heartbeat, and that is what made this understanding precious to him.

So much for my brief overview of Kline's understanding of the works principle in the Mosaic economy. The key is the two-layer metaphor and the concept of "the typical kingdom" at the top layer. If you don't grasp Kline's distinction between the two layers, then nothing Kline says about the Mosaic covenant will make sense.

Next, I want to address some common misrepresentations on the part of those who are critical of Kline's understanding of works in the Mosaic economy.

Part II: Responding to Five Misrepresentations

Thus far, I have given an overview of Kline’s biblical-theological analysis of the Mosaic economy, focusing particularly on his two-layer metaphor for conceptualizing how both works and grace coexisted in that unique period of redemptive history.

Kline based this on the teaching of Paul in Gal 3:15-19 and on the biblical-theological implications of the Abrahamic covenant. He saw the whole structure of redemptive history as one of promise and fulfillment. The Abrahamic covenant is the promise, and as such it is the foundation of the entire structure of redemptive history. But redemptive history unfolds in two stages, or two fulfillments – a first-level fulfillment in the land (the typical kingdom) and the second-level fulfillment in Christ (the eschatological kingdom).

(By the way, do not confuse Kline’s two “layers” with his two “levels.” They are closely connected but not the same. Although distinct conceptual schemes, they are coordinated, since the first-level fulfillment of the Abrahamic promise is the top layer of the Mosaic economy.)

The uncancellable, abiding reality of the Abrahamic covenant, which (as Paul says in Gal 3:17) is not annulled by the addition of the Mosaic law 430 years later, is what creates the two layers of the Mosaic economy. The bottom layer was governed by the principle of inheritance by grace. The top layer was governed by the principle of inheritance by works. But there was no conflict between the two, because these contrary principles applied to different inheritances – the bottom layer pertained to the inheritance of heaven (the new heavens and the new earth, the eschatological kingdom), while the top layer pertained to national Israel’s inheritance of the land (the typical kingdom).

We could explore the two layers of the Mosaic economy in greater depth, but now I want to move on by responding to five common misrepresentations of Kline.

A. First Misrepresentation of Kline

“Kline based his view of the Mosaic covenant on the Ancient Near Eastern treaties, not on biblical exegesis.”

Not true. It is true that Kline saw in the Ancient Near Eastern treaty format (especially the Hittite suzerainty treaties) a useful parallel that sheds light on the structure of the Sinai covenant.⁶ But while he saw this parallel as illuminating key passages concerning the Sinai covenant in Exodus (and its subsequent renewals in Deuteronomy and Joshua), he did not hang everything on this extra-biblical data. His appeal is strongly exegetical.

In *By Oath Consigned* (pp. 22-25), in an early treatment of the Mosaic covenant, Kline makes his primary appeal to Paul’s biblical theological analysis of the relationship between the Abrahamic covenant and the Mosaic covenant in Gal 3:15-19.

⁶ http://www.upper-register.com/papers/treaty_format.pdf

In addition to the all-important Gal 3:15-19 passage, Kline repeatedly appeals to the "do this and live" principle enunciated in Lev 18:5, and reminds us that Paul sees this principle as the opposite of the "grace-faith" principle (Gal 3:12; Rom 10:5-6). Here are a few representative quotes:

"The Sinaitic administration, called 'covenant' in the Old Testament, Paul interpreted as in itself a dispensation of the kingdom inheritance quite opposite in principle to inheritance by guaranteed promise: 'For if the inheritance is by law, it is no longer by promise' and 'the law is not of faith; but, He that doeth them shall live in them' (Gal. 3:18a, RSV, and v. 12, ARV; cf. Lev. 18:5)" (BOC 22).

"That Paul did indeed assess the Mosaic order in such terms is further supported by his citation of Leviticus 18:5 as an expression of the do-and-live principle of inheritance. In Galatians 3 he points to that verse as evidence from within the Mosaic Covenant itself that 'the law' was 'not of faith' (v. 12; cf. v. 18). Similarly in Romans 10:5 he uses that Mosaic formulation as a description of 'the righteousness which is of the law,' asserting this to be antithetical to 'the righteousness which is of faith' (v. 6)" (KP 321).

"As Paul's appeal to Lev 18:5 shows (Rom 10:5; Gal 3:12), a legal principle of meritorious works was operating in the Torah covenant opposite to the gospel principle of grace" (GOM 239 n32).

Lest you think he was just engaging in superficial proof-texting, consider that Kline wrote an in-depth, 14-page exegetical paper "The Gospel until the Law: Rom 5:13-14 and the Old Covenant," published in 1991 in the *Journal of the Evangelical Theological Society*. This paper was an exegetical analysis of Paul's famous parenthetical remark in Rom 5:13-14. He saw the fact that Paul selected the period from Adam until Moses as highly significant, indicating that that period was governed by the principle of grace and promise, in contrast with the Mosaic epoch, which was governed by the works principle. This paper is a fine example of exegesis of a key Pauline text driving Kline's larger biblical-theological and systematic-covenantal formulations.

Nor was his exegesis limited to Pauline texts. He also spent a good deal of his exegetical effort in key Old Testament texts, such as his detailed commentary on Zechariah in *Glory in Our Midst*. The exegesis that he does there is sprinkled throughout with comments related to the nature of the Mosaic covenant and how it fits into the broader schema of redemptive history from the Abrahamic promise to the exile to the post-exilic restoration of the temple and the remnant.

Another crucial Old Testament passage that Kline employed on multiple occasions to support his conception of the Mosaic covenant was Jeremiah's famous "new covenant" prophecy.

"Jeremiah, speaking of the new covenant to be made in the coming days (Jer 31:31-34), drew a sharp contrast between it and the covenant made at Sinai (i.e., the stratum of it concerned with the typological kingdom). He described the Old Covenant as breakable and in fact as having been broken by Israel, which means that it was informed by the works principle of inheritance" (GHHM 97).

I have only given a taste of Kline's exegesis. There is much more, but this is enough to refute the charge that Kline built his view of the Mosaic covenant on Ancient Near Eastern parallels rather than exegesis and biblical-theological engagement with the biblical text. Even if the ANE parallels never existed, or were ultimately set aside as of limited value, Kline would not budge on the law-gospel contrast. Paul's inspired and authoritative teaching on the nature of the Mosaic law and the law-gospel contrast would remain, and fidelity to Paul is ultimately what is driving Kline's biblical theology as it relates to the covenantal structure of the historical unfolding of the eschatological kingdom of God.

B. Second Misrepresentation of Kline

"Kline taught that the Mosaic covenant was a republication of the Adamic covenant of works."

Not quite. Kline, as a biblical theologian looking at the big patterns of biblical revelation in history, saw Israel as a recapitulation of Adam in the garden. Both Adam and Israel were custodians of God's holy temple, whether in the garden or in the land. Both were under probationary works arrangements in which blessing was conditioned on obedience and curse was threatened for disobedience.

"Israel as the theocratic nation was mankind stationed once again in a paradise-sanctuary, under probation in a covenant of works" (KP 352).

Both failed to obey the stipulations of the covenant and maintain the sanctity of God's holy realm. Both were unfaithful to the Lord of the covenant and yielded fealty to other lords. Both failed in the prime duty of preserving the cult (the worship of God) and rebelled against him. And in the end God sent them both into exile.

Yet Kline recognized that the Mosaic economy could not be a simple republication of the original Adamic covenant because it was introduced into a post-Fall situation and as part of God's larger redemptive program.

"It is especially significant for our present thesis that in the Mosaic economy there was a reproduction of the creational order as a whole (*within the limitations of the fallen situation and with the adjustments resulting from the redemptive process*), including specifically the nature of the original Edenic order as a holy paradise-kingdom and as a probationary-works arrangement" (KP 20, emphasis added).

The Mosaic economy was a pedagogical re-enactment on the stage of world history of the original Adamic arrangement, but modified to fit "within the limitations of the fallen situation" and characterized by "adjustments resulting from the redemptive process."

What were some of those limitations and adjustments? The main one is that the works principle in the Mosaic economy, as it operated historically on the typological level of Israel's retention of

the land, did not require perfect obedience or threaten a curse for the smallest disobedience. Rather, it operated according to what Kline calls "typological legibility."

"The typological objective in the case of the Israelite kingdom was to teach that righteousness and prosperity will be conjoined in the consummated kingdom. For the purpose of keeping that symbolic message readable, persistent wholesale apostasy could not be allowed to accompany possession of the promised inheritance. But, on the other hand, the pedagogical point of the typological arrangement could be satisfactorily made, in a positive fashion, in spite of the inevitable imperfections of the people individually and as a nation. In meting out the blessings and curses of the Mosaic Covenant, the Lord applied the standard of symbolical appropriateness or typological legibility" (KP 239-40).

"What we have found then is that once the typological kingdom was inaugurated under the Mosaic Covenant, Israel's retention of it was governed by a principle of works applied on a national scale. The standard of judgment in this national probation was one of typological legibility, that is, the message must remain reasonably readable that enjoyment of the felicity of God's holy kingdom goes hand in hand with righteousness. Without holiness we do not see God" (KP 323).

It was a reproduction of the original Adamic covenant but "applied on a national scale," wherein the requirement was not perfect obedience but an "appropriate measure of national fidelity" if Israel was to retain the land.

"The Israelite people corporately could maintain their continuing tenure as the theocratic kingdom in the promised land only as they maintained the appropriate measure of national fidelity to their heavenly King" (KP 322).

The works principle enshrined in the Mosaic covenant governed "the corporate life of Israel" as a nation:

"It was the judicial principle that governed the corporate life of Israel as recipient of the national election and controlled Israel's tenure in the typological kingdom of Canaan" ("Gospel until the Law," 435).

For this reason, it is evident that Kline did not teach that the Mosaic covenant was a republication of the Adamic covenant of works. There is a grain of truth in that statement, but it is misleading. It would be more accurate to say that he viewed the Mosaic economy (the top layer thereof) as a typological recapitulation of Adam's probation. If you want nail Kline down about how he would characterize the Mosaic covenant itself – not just the Mosaic economy but the actual covenant that God established with Israel at Mount Sinai – he would say it was a covenant "of the works variety" (KP 5) or "a probationary arrangement informed by the works principle" (KP 345) or "a covenant of works" (KP 352). But he would not call it "a republication of *the* covenant of works."

C. Third Misrepresentation of Kline

“Kline saw the works principle in the Mosaic economy operating only at the typological level and denied the presence of a hypothetical works principle in the law.”

If the previous misrepresentation or misunderstanding is that Kline viewed the Mosaic covenant as a simple republication of the Adamic covenant of works, this one gets that issue straight but then goes in the opposite direction and faults Kline for failing to recognize that the law contained a genuine albeit hypothetical offer of eternal life to those who keep the law perfectly. This hypothetical works principle is enunciated in Lev 18:5: “And you shall keep all my ordinances and all my judgments, and you shall do these things which, if a person does them, he shall live by them” (*New English Translation of the Septuagint*). Judging from his quotations and allusions to Lev 18:5 (e.g., Rom 2:13; 7:10; 10:5; Gal 3:12), it would appear that Paul interpreted the offer of “life” not as long life in the land but as eternal, eschatological life. This offer is called “hypothetical” because no one after the Fall actually does or can perfectly do all that the law demands. “Do this and you will live (eschatologically)” may be a genuine offer but it is an empty set. The eschatological works principle was never fulfilled by anyone but Christ.

Now, just to be clear, not all critics of Kline are concerned to uphold a hypothetical works principle in the law as summarized in Lev 18:5. In fact, most of Kline’s critics (especially those of the Fuller-Shepherd-Federal-Vision variety) are not. That group denies the works principle everywhere – not just in the Mosaic economy, but also in the Creator’s covenant of works with the first Adam and in the Father’s covenant of works with the second Adam (the *pactum salutis*). However, there are some critics of Kline who hold more conventional views of covenant theology and justification (meaning, they don’t deny the Adamic covenant of works and they affirm the imputed righteousness of Christ), who are worried about the way in which Kline seems to limit the works principle in the Mosaic economy to the typological level. That is, they are troubled by his concept of “typological legibility” wherein national Israel is required to maintain an “appropriate measure of national fidelity,” but not perfect obedience. They worry that this typological version of the works principle waters down or possibly even denies the eternal standard of divine justice. The moral law requires absolute, perfect obedience.

Such critics rightly point out that it is crucially important to take the Lev 18:5 principle in an absolute sense as requiring perfect obedience, for two reasons: first, it is necessary for the pedagogical function of the law (the law can’t show us our guilt and drive us to Christ unless it demands perfect obedience); second, it is crucial for the ultimately Christological aim and significance of the law (if Christ perfectly fulfills the law by his obedience, then the law must require perfect obedience).

In response to these critics, I want to argue that Kline shares their concerns. I would argue, in fact, that he does affirm the hypothetical aspect of the works principle in the Mosaic law. Here is one quote where he explicitly uses the language of the hypothetical works principle. He does not want to see the works principle as *merely* hypothetical, but that implies that he does see a hypothetical works principle there.

"Because the Murray position followed by Silva so minimizes the significance of the typological stratum as virtually to reduce the old covenant to the one level of its continuity with other administrations of grace, his suggestion leaves the law principle functioning *merely* as a hypothetical proposal of salvation by works *and in no other way*" ("Gospel until the Law," 434-35, emphasis added).

It is true that he does not emphasize it, but that is because he wants to make sure we recognize that "the law's principle of works was not *just* something hypothetical," since it was actually applied historically in the Babylonian exile and in AD 70 "with a vengeance" ("Gospel until the Law," 435, emphasis added). God's termination of the typal kingdom and Israel's loss of national election "emphatically contradict the notion that the law's stipulations and sanctions were *mere* hypothetical formulations" (ibid.). Although Kline is arguing against those who would reduce the works aspect to a mere hypothetical principle and fail to acknowledge its historical operation at the overlying typological layer, he does recognize that there is a hypothetical works principle as well imbedded in the typological layer.

Not only does Kline recognize this, but he also notes that Paul himself often bypasses the typological works principle in the law and sees right past it to its ultimate eschatological significance as a works principle requiring perfect obedience, particularly in his use of Lev 18:5:

"What is truly remarkable is that Paul sounds often enough as though he too were reducing the Mosaic economy to one level – not, however, to the grace level but to the typological works level. If the apostle expressed himself so unguardedly today he would risk being accused of dispensationalist leanings" ("Gospel until the Law," 435).

Even clearer is this quote:

"As Paul's appeal to Lev 18:5 shows (Rom 10:5; Gal 3:12), a legal principle of meritorious works was operating in the Torah covenant opposite to the gospel principle of grace" (GOM 239 n32).

Note well, according to Kline, Paul's use of Lev 18:5 demonstrates that the Mosaic law contains in some way "a legal principle of meritorious works." It is a "legal principle." In other words, the law contains a hypothetical offer of life to those who keep it, although fallen humans can never keep it.

But how does this relate to Kline's notion of typological legibility? I would argue that the law's hypothetical works principle and the law's typological works principle go hand in hand. I believe Kline gives us the conceptual categories to explain this in his treatment of "intrusion" in *The Structure of Biblical Authority*. Kline argues that the principles and powers of the eschatological reality are projected into the midst of history (this is the concept of "intrusion"), creating an outer shell that contains within it an eschatological core. Just as a bolt of lightning can penetrate the earth and form a fulgurite⁷ (a hollow glass tube formed by melting the silica), so the eschatological intrusion creates an outer shell with an inner core. The outer shell is the type that

⁷ <http://en.wikipedia.org/wiki/Fulgurite>

looks forward to the eschatological reality, but the eschatological reality is to some extent contained within the shell.

“The Covenant of Redemption all along the line of its administration, more profoundly in the New Testament but already in the Old Testament, is a coming of the Spirit, an intrusion of the power, principles, and reality of the consummation into the period of delay. Breaking through first of all in the Old Testament period, the Intrusion finds itself in an age which is by the divine disposition of history, or, more specifically, by the divine administration of the Covenant of Redemption, an age of preparation for a later age of fulfillment and finality. Its appearing, therefore, is amid earthly forms which at once suggest, yet veil, the ultimate glory. Not to be obscured is the fact that within this temporary shell of the Intrusion there is a permanent core. The pattern of things earthly embodies realized eschatology, an actual projection of the heavenly reality. It is the consummation which, intruding into the time of delay, anticipates itself This Intrusion has realized eschatology as its core, while its symbolic surface (the sacramental aspect thereof excepted) forms a typical picture of eschatology not yet realized. In the recognition of the true character of core and shell and in the further recognition that the core is always present within the shell lies the proper understanding of much in the Old Testament” (SBA 156, 158).

The Mosaic law was an intrusion of the eschatological works principle into a post-fall situation. When that principle entered like a lightning bolt into the history of Israel, it created an external shell (the typical kingdom governed by the typological works principle pertaining to the land) but contained within the shell was a core of realized eschatology (the hypothetical works principle fulfilled only by Christ according to the terms of the Father’s covenant of works with the second Adam, aka, the *pactum salutis*).

The very reason why God reenacted the works principle on the typological level was to provide the historical context for the incarnation of Christ, the *telos* of the law, who endured the law’s curse and kept the law’s positive requirements in our place, thus earning heaven for his people.

“Because of the congruence between Jesus’ particular historical identity as the true Israel, born under the law, and his universally relevant role as the second Adam, the significance of his mission as the accomplishing of a probationary assignment in a works covenant in behalf of the elect of all ages was lucidly expressed and readily readable” (KP 352).

Kline calls the *pactum salutis* the “supernal [i.e., heavenly] works covenant.” It is the ultimate archetype for the Creator’s covenant of works with the first Adam and for the establishment of the typological covenant of works governing Israel’s retention of the land.

“As advertised by his birth under the Torah covenant of works (Gal 4:4), Christ came to earth as one under the intratrinitarian covenant of works. It was by fulfilling the probation of that supernal works covenant that he became the mediator of the Covenant of Grace, the covenant in which his people become by faith joint-heirs with their Lord of the eternal kingdom of glory (Heb 9:14; Rom 8:17)” (GOM 237).

“In the theology of Paul the demands of covenant law both as stipulations and sanctions are met and satisfied for men in their faith-identification with the Christ of promise” (BOC 23).

“Law is thus foundational to gospel; gospel-grace honors the demands of divine justice as definitively expressed in law covenant” (GOM 237).

If Kline did not recognize the hypothetical works principle imbedded in the Mosaic law, he would not be able to speak of Christ as perfectly fulfilling the law, “accomplishing a probationary assignment in a works covenant in behalf of the elect of all ages.” But note that he would say that this works covenant that Christ fulfills is not properly the Mosaic covenant but the *pactum salutis*. The Mosaic covenant is the eschatological intrusion of the actual works principle into a post-Fall historical situation, thus creating the typological context that makes it possible for us to “read” the accomplishment of Jesus Christ in his obedience and death as the satisfaction of divine justice and the fulfilling of the actual works principle.

Contrary to the worries of some of Kline’s more traditional critics, Kline does not deny the hypothetical works principle of Lev 18:5. Granted, it is easy to miss this aspect of his thought because he spends so much time expounding the typological operation of the works principle as it pertained to national Israel’s historical experience in the land. But it is there in his thought, as evidenced by his recognition that when Paul employed Lev 18:5 he bypassed the typological “shell” and penetrated right to the eschatological “core” contained within. Kline understands that Paul is right to do this because of the concept of eschatological intrusion. The eschatological reality of the Lev 18:5 principle (the hypothetical works principle) came down out of heaven at Sinai, intruding into the midst of history and thereby imbedding a genuine eschatological “core” within the “shell” of the typological expression of the works principle at the top layer of the Mosaic economy. All this is vitally important, because without it there would be no “congruence” (KP 352) between the Mosaic law and *pactum salutis*, a congruence that is necessary for the incarnation. Only in this way can Christ’s probation and obedience under the one (the Mosaic law) be readily perceived as his probation and obedience under the other (the *pactum salutis*).

D. Fourth Misrepresentation of Kline

“Kline so emphasized the works aspect of the Mosaic covenant that he denied that it was in any sense an administration of the covenant of grace. He overemphasized the discontinuity and downplayed or denied the continuity.”

Not true. It is true that the polemical context of Kline’s covenant thought pushed him to emphasize the works aspect of the Mosaic covenant. He was responding to John Murray’s “recasting” of covenant theology in which he defined the biblical concept of covenant as “a sovereign administration of grace and promise.”⁸ This, of course, meant that the Mosaic covenant had to be seen as a covenant of guaranteed grace, and the promises and conditions of

⁸ John Murray, *The Covenant of Grace: A Biblico-Theological Study* (London: Tyndale: 1954), 5, 29.
http://www.the-highway.com/Covenant_Murray.html

that covenant had to be understood as no different in principle from the demand for obedience, within the context of grace, that we see in the Abrahamic covenant and the new covenant. Kline was concerned that this recasting of covenant theology, by making all covenants fit into a single mold, would destroy the law-gospel contrast and have ripple effects on one's understanding of justification (as proved true with Norman Shepherd and the Federal Vision). For this reason, Kline will not make all covenants fit into a single mold and will insist that some covenants are of the works variety and others of the grace variety.

On the other hand, while insisting on upholding the law-gospel distinction in covenant theology, Kline was too careful to react the other way and completely rupture the continuity of the Mosaic covenant with the Abrahamic covenant on the one side and with the new covenant on the other side. That is what I want to address here – the perception that Kline took the law-gospel distinction so far that he denied or downplayed the continuity of the covenant of grace under its various administrations.

This relates to the second misrepresentation in which it is claimed that Kline taught that the Mosaic covenant was a republication of *the* Adamic covenant of works. If the Mosaic covenant were a simple republication of the Adamic covenant of works, it would be difficult, if not impossible, to see how the Mosaic covenant of works could be organically connected with the Abrahamic covenant of promise. But Kline recognized that the Mosaic covenant was an intrusion of the works principle into the midst of a fallen situation precisely for the purpose of advancing the overarching redemptive program of the covenant of grace. The introduction of the typological and hypothetical works principle did not annul the underlying Abrahamic promise. Here we must cite Gal 3:17 as Kline himself does again and again to underscore the point: "The law, which came 430 years afterward, does not annul a covenant previously ratified by God, so as to make the promise void" (ESV). Indeed, the law not only does not annul the Abrahamic promise, it is actually a crucial step in the fulfillment of the Abrahamic promise. For God put the works principle in place at the top layer precisely to provide the covenantal setting for the arrival of the Seed who fulfills the law's works principle in order to fulfill the underlying Abrahamic promise. As Paul says two verses later: "Why, then, was the law given at all? It was added because of transgressions until the Seed to whom the promise referred had come" (Gal 3:19 NIV).

Here are some key quotes where Kline recognizes the continuities – both the continuity between the Mosaic covenant and the prior Abrahamic covenant and the continuity between the Mosaic covenant and the subsequent new covenant.

Let us begin with a general statement by Kline of the Mosaic order's continuity with *previous* and *subsequent* administrations of the covenant of grace:

"Classic covenantalism recognizes that the old Mosaic order (at its foundation level – that is, as a program of individual salvation in Christ) was in continuity with previous and subsequent administrations of the overarching covenant of grace" ("Gospel until the Law," 434, emphasis added).

The Mosaic covenant governing the top layer of the Mosaic economy is not itself an administration of the covenant of grace, but it is added at the top layer as part of God's "overarching covenant of grace."

We move, next, to a quote by Kline affirming specifically the continuity from the Abraham covenant to the Mosaic covenant order:

"The old (Mosaic) covenant order, though *in continuity with the Abrahamic covenant of promise* and even an initial fulfillment of its kingdom promises, was nevertheless itself governed by a principle of works" (KP 320, emphasis added).

I already explained Kline's two-layer cake above, so this should not come as a surprise here. The bottom layer of the Mosaic economy is the covenant of grace.

"Paul affirmed that *the Mosaic Covenant did not annul the promise arrangement given earlier to Abraham* (Gal 3:17). The explanation for this is that the old covenant order was composed of two strata and the works principle enunciated in Leviticus 18:5, and elsewhere in the law, applied only to one of these, a secondary stratum. There was a foundational stratum having to do with the personal attainment of the eternal kingdom of salvation and this underlying stratum, *continuous with all preceding and succeeding administrations of the Lord's Covenant of Grace with the church*, was informed by the principle of grace (cf., e.g., Rom 4:16). Because *the Abrahamic covenant of promise found continuity in the Mosaic order at this underlying level*, it was not abrogated by the latter. The works principle in the Mosaic order was confined to the typological sphere of the provisional earthly kingdom which was superimposed as a secondary overlay on the foundational stratum" (KP 321, emphasis added).

"It was [Paul's] recognition of *the simultaneous presence, within the Mosaic economy, of the underlying stratum with its principle of grace* controlling the reception of the eternal kingdom that made it possible for him to affirm that the Mosaic Covenant had not annulled God's promise to Abraham" ("Of Works and Grace," 86, emphasis added).

Having looked at the continuity from Abraham to Moses, here are some Kline quotes on the continuity from Moses to the new covenant:

"We must conclude that *between the old covenant and the new covenant there is contrast as well as continuum*. There is a continuum of sovereign soteric grace in Christ with respect to eternal salvation and the inheritance of heaven. But there is a contrast in that the old covenant involved a secondary, typological sphere in which a principle was introduced quite the opposite of the grace-promise-faith principle" ("Of Works and Grace," 87, emphasis added).

"The new covenant is not a renewal of an older covenant in the sense of confirming the continuing validity of the old. *If we speak of the new covenant as a renewal of the old it must be to express their continuity as two administrations of the Covenant of Grace* or, more specifically, the continuity of the new covenant with the underlying, foundational

stratum of the old covenant, the substratum of gospel-grace as the way to the ultimate heavenly hope in Christ" (KP 345, emphasis added).

"The overarching Covenant of Grace ... was to unfold in several premessianic administrations (including the Noahic, Abrahamic, and Mosaic covenants) and have its full, culminating expression in the New Covenant" (GHHM 75, emphasis added).

Read that last quote again. Kline says that the covenant of grace unfolded in several administrations, including the Mosaic covenant, and that this overarching covenant of grace reached its culmination in the new covenant.

"Carrying forward the Abrahamic Covenant as they do, *both the Old and New Covenants are ... administrations of the Covenant of Grace*. Foundational to both these covenantal orders is the purpose and program of individual election in Christ unto salvation and the heavenly inheritance" (GHHM 96).

"The Law covenant was a sub-administration of the Covenant of Grace, designed to further the purpose and program of the gospel" (GHHM 128-29, emphasis added).

It should also be pointed out that the three quotes above are from Kline's last book before he died in 2007, *God, Heaven and Har Magedon* (published in 2006), which, along with *Kingdom Prologue*, represents his most mature thought honed over decades of teaching biblical theology and covenant theology.

Again, Kline is not saying that the Mosaic covenant itself (the covenant between God and Israel that was inaugurated at Sinai) was a covenant of grace. It was not. It was a covenant of the works variety. But he is saying that God's establishment of this Mosaic covenant of works was designed to advance the covenant of grace and that therefore it was a sub-administration of the covenant of grace. As other Reformed theologians have said, it was a "subservient covenant"⁹ intended not to be an end in itself but to look ahead to the coming Seed who would be born under it and fulfill it and thereby bring about the consummation of the covenant of grace.

E. Fifth Misrepresentation of Kline

"Kline taught that Israel as a nation merited the land and God's blessings in the land, thus contradicting baseline Augustinian and Reformed orthodoxy which says that sinners can never merit anything with God."

Not true! As a covenant of the works variety, the Mosaic covenant necessarily offered a reward on the ground of obedience, which means the Israelites were required to merit a reward. Hence merit was possible in principle in the Mosaic economy. But while recognizing the principle of merit in the Mosaic economy, Kline thought that it applied only to Israel's retention of the land, not to her initial reception of the land. Consider these quotes:

⁹ http://www.upper-register.com/papers/subservient_cov.pdf

"If the ground of Israel's tenure in Canaan was their covenant obedience, their election to receive the typological kingdom in the first place was emphatically not based on any merit of theirs (cf. Deut 9:5, 6)" (KP 323).

"Israel's restoration to the land, like their original reception of it after the exodus, was a gift of grace" (GOM 39).

Not only did they obtain the land as a gift of grace, but God's appointment of national Israel to be a type of Christ's probation under the works principle was itself a privilege of grace.

"The Old Covenant order, theirs by national election, was one of highest historical privilege. And while a works principle was operative both in the grant of the kingdom to Abraham and in the meting out of typological kingdom blessings to the nation of Israel, *the arrangement as a whole was a gracious favor to fallen sons of Adam, children of wrath deserving no blessings, temporal or eternal*" (GHHM 128, emphasis added).

Not only was it an act of grace for God to set up the typological kingdom in the first place, it was precisely in order to highlight and manifest his grace that God did so. The presence of the works principle in the Mosaic economy was not contrary to but actually subserved God's plan of grace to be fulfilled in Christ:

"The Law covenant was a sub-administration of the Covenant of Grace, designed to further the purpose and program of the gospel" (GHHM 128).

How did the law "further the purpose and program of the gospel"? Kline echoes Paul's own answer in Gal 3:21-24:

"By exhibiting dramatically the situation of all mankind, fallen in and with Adam in the original probation in Eden, the tragic history of Israel under its covenant-of-works probation served to convict all of their sinful, hopeless estate. The Law thus drove men to Christ that they might be justified by faith" (GHHM 128-29).

Thus, rather than contradicting baseline Augustinian and Reformed orthodoxy which says that sinners can never merit anything with God, Kline's understanding of the works principle in the Mosaic economy strongly supports Augustinian and Reformed orthodoxy and gives all the glory to Christ who alone merited the eternal kingdom for his people.

(1) A Principle of Merit

But now let's go back to this notion that merit was possible in principle, *after* they received the land. One may grant that Kline did not think Israel merited the land in the first place, but then continue to have questions about the notion that a principle of merit governed Israel's retention of the land. Here are two quotes by Kline where he says this:

“As Paul’s appeal to Lev 18:5 shows (Rom 10:5; Gal 3:12), a legal principle of meritorious works was operating in the Torah covenant opposite to the gospel principle of grace” (GOM 239 n32).

“At the level of the secondary, typological stratum of the Mosaic order, continuance in the election to kingdom blessings was not guaranteed by sovereign grace on the basis of Christ’s meritorious accomplishments. It was rather something to be merited by the Israelites’ works of obedience to the law” (KP 322).

Does this violate baseline Augustinian and Reformed orthodoxy? No, and the reason is that recognizing a “principle” is not the same thing as affirming that anyone after the Fall actually fulfilled it or could fulfill it. Israel was required to obey God as the legal ground of the temporal blessings of the Mosaic covenant (long life in the land, fertility, etc.), but Israel never did obey in any real sense. And to the degree that they did, it was only through the representative obedience of their covenant heads who, as types of Christ, kept the law and led God’s people in righteousness, for a time (e.g., a David, or a Hezekiah, or a Josiah). Time and time again, the Israelites were in danger of losing the land because of their rebellion and sin, and yet God had mercy “for the sake of my servant David” (1 Kings 11:13, 32,34; 2 Kings 19:34; 20:6; Isaiah 37:35).

The works principle was never fulfilled by Israel, because Israel never did yield the obedience required. Instead, the works principle led only to Israel’s condemnation:

“The old covenant was law, the opposite of grace-faith, and in the postlapsarian world that meant it would turn out to be an administration of condemnation as a consequence of sinful Israel’s failure to maintain the necessary meritorious obedience” (KP 109).

Thus, temporal blessing in the land was something “to be merited” (KP 322) by Israel’s obedience in principle, but as a matter of fact we know that Israel failed “to maintain the necessary meritorious obedience.” The principle of merit was there, but it was never fulfilled by Israel.

(2) But How Could Sinners Merit Anything from God, Even Potentially?

So we have seen that Kline affirmed that Israel received the land initially by grace not merit. We have seen that Kline affirmed a principle of merit that was never fulfilled by Israel. That is all well and good, and it certainly helps to see that Kline does not violate baseline Augustinian and Reformed orthodoxy. Yet you might still be troubled by the idea that he even granted the very possibility of Israel meriting anything. The Israelites were fallen sinners, laboring under the guilt of Adam’s sin. How on earth could they possibly merit any reward? Wouldn’t their obedience be imperfect? Indeed, wouldn’t it be the case that any obedience that the Israelites offered would have been the result of God’s grace working in them and causing them to be obedient? Wouldn’t any rewards they the Israelites have received for their obedience have been given according to grace, not according to strict merit?

Indeed. All of that is true. In fact, it is all perfectly consistent with the sort of covenant of works that governed the Mosaic economy. As we saw when dealing with the second misrepresentation, it was not the actual works principle but a typological works principle, operating at the typological layer, on the basis of typological legibility, given for pedagogical purposes to establish man's inability to obey the law and to prepare for the advent of the Messiah who alone keeps the law. Therefore, the obedience of national Israel under the typological covenant of works governing the top layer would not have been meritorious in the same way that Adam's could have been or that Christ's was. Rather, any obedience that Israel did have would have been reckoned as having "merit" only in an analogical sense. It would have been "accorded by God an analogous kind of value with respect to the typological stage represented by the old covenant" (KP 325).

This makes sense when we go back to a quote earlier and remember that the very reception of the typological kingdom was a gift of grace. "The arrangement as a whole was a gracious favor to fallen sons of Adam" (GHHM 128). It was a gift of grace that Israel was even put in this position in the first place of being appointed by God to participate in this great typal kingdom governed by the works principle, all for the purpose of setting the stage for the coming of the Messiah who will fulfill it.

As Kline uses the term, "merit" does not imply ontological equality between the obedience and the reward. For Kline "merit" can arise whenever there is a covenant of the works variety in which God offers a reward on the ground of obedience. Merit is a matter of "simple justice" (KP 107). Affirming the potential merit of Israel, then, is only affirming that if they had maintained "the appropriate measure of national fidelity" (KP 322) they would have merited the reward of continuance in the land, since God would have been obligated to keep his side of the covenant.

This may be an idiosyncratic definition of "merit," but Kline defines "merit" this way because he feels the shape of the Adam-Israel-Christ narrative is pushing in that direction. He uses it precisely in order to be able to use the term "merit" in reference to the three covenants of the works variety – the Creator's covenant of works with the first Adam, the Father's covenant of works with the second Adam, and Yahweh's covenant of works with Israel as a recapitulation of Adam.

(3) The Biblical-Theological Rationale for Speaking of "Merit" in the Mosaic Economy

Kline's biblical-theological rationale for speaking of potential merit in reference to the Mosaic economy is that he feels compelled to do so because of the parallels between Adam and Christ, and between Adam and Israel. There are three places where Kline sees "merit" as present or potentially present: the Creator's covenant of works with the first Adam, the Father's covenant of works with the second Adam (the *pactum salutis*), and Yahweh's covenant of works with Israel as a recapitulation of Adam (the Mosaic covenant).

Obviously, Adam and Israel were supposed to obey God under their respective covenants and earn the offered reward, but failed to do so. Only with Christ do we see obedience actually earning the reward, that is, only with Christ does merit actually accrue.

Some reject the concept of merit for all three (even Christ). Others accept the merit of Christ, because of his deity (which makes his obedience ontologically equal to the reward), but deny that Adam and Israel could have merited anything because they were mere creatures. Others are on board with the notion that Adam's obedience, had it been forthcoming, would have been meritorious, but reject it for Israel since they were sinners utterly incapable of meriting anything.

We can set aside the first group (those that reject merit in all cases including Christ) as outside the pale, since they would also logically deny the imputation of Christ's righteousness. Kline has no patience with this group:

"If the obedience of Jesus has no meritorious value, the foundation of the gospel is gone. If Jesus' passive obedience has no merit, there has been no satisfaction made for our sins. If Jesus' active obedience has no merit, there is no righteous accomplishment to be imputed to us. There is then no justification-glorification for us to receive as a gift of grace by faith alone" ("Covenant Theology Under Attack").¹⁰

With regard to the second group (who accept only the merit of Christ), Kline does not buy into the medieval ontological scheme for measuring merit. (I have addressed this at length in my paper, "Redefining Merit" in the Kline Festschrift.¹¹) He would also point out the inconsistency involved in rejecting the potential for Adamic merit while accepting the merit of Christ, since Paul says that Adam in his role as a federal head or representative was a type of Christ (Rom 5:14):

"The parallel which Scripture tells us exists between the two Adams would require the conclusion that if the first Adam could not earn anything, neither could the second" ("Covenant Theology Under Attack").

But what about the third group – those who accept the Adam-Christ parallel but question whether the concept of merit is applicable in the Mosaic economy, which was post-Fall?

In this case, Kline would appeal again to the Adam-Israel parallel in which Israel in the land is a recapitulation of Adam's probation in the garden under a covenant of works. If Israel is a recapitulation of Adam under a covenant of works, then it stands to reason that Israel, like Adam, would have had the possibility of earning the reward offered in that covenant – in Israel's case, the reward of continuance in the land and divine blessing in the land. Of course, the "merit" of Israel would have been typological merit, since it would have been imperfect obedience measured according to the standard of national fidelity and typological legibility. Nevertheless, it would have been a matter of simple justice for God to honor the terms of the covenant and grant the reward on the ground of their obedience.

¹⁰ http://www.upper-register.com/papers/ct_under_attack.html

¹¹ "Redefining Merit: An Examination of Medieval Presuppositions in Covenant Theology," in *Creator, Redeemer, Consummator: A Festschrift for Meredith G. Kline* (ed. Howard Griffith and John R. Muether; Jackson, MS: Reformed Theological Seminary; and Greenville, SC: Reformed Academic Press, 2000), 253-269. http://www.upper-register.com/papers/redefining_merit.pdf

This, then, is Kline's biblical-theological rationale for speaking of merit in connection with Israel. In effect, he reasons backwards and forwards. He begins by reasoning backwards, from Christ to Adam: we know that Christ merited the reward under his covenant of works (the *pactum salutis*), and since Adam was a type of Christ in that they were both federal heads, we can conclude that Adam would have merited the reward under his covenant of works. Then, he reasons forwards, from Adam to Israel: if Israel is a recapitulation of Adam, both being under covenants of the works variety, then Israel must have had the opportunity of meriting a reward under her covenant of works as well.

(4) The Exegetical Rationale for Speaking of "Merit" in the Mosaic Economy

We have seen Kline's biblical-theological argument (based on the pattern from Adam to Israel to Christ) for defining merit not in ontological terms, but in terms of simple justice. When there is a covenant of the works variety, God is offering a reward on the ground of obedience to the stipulations of the covenant. When works operate in that context as the ground of the reward, the works are meritorious, by definition. God would be unjust not reward the works. The merit arises in the context of God's justice.

Now you might be thinking, Kline is making big-picture biblical-theological connections that seem plausible, but what if Kline is wrong? It would be nice if we could have something more explicit to go on in the text. Is there any exegetical evidence that would support the notion of merit in connection with the Mosaic covenant? At this point, I want to show that Kline did not rest his argument simply on the biblical-theological patterns, but on exegesis. It was Paul himself who made the point that a principle of meritorious works was operative under the Mosaic law in Romans 4:4.

Let's back up and look at the context. Paul makes this quite clear at the end of Romans 3 and the beginning of chapter 4, when he denies that Abraham had any ground of boasting before God:

²⁷ Then what becomes of our *boasting*? It is excluded. By what kind of law? By a law of works? No, but by the law of faith. ²⁸ For we hold that one is justified by faith apart from works of the law What then shall we say was gained by Abraham, our forefather according to the flesh? ² For if Abraham was justified by works, he has something to *boast* about, but not before God. ³ For what does the Scripture say? "Abraham believed God, and it was counted to him as righteousness." ⁴ Now *to the one who works, his wages are not counted as a gift but as his due.* ⁵ And to the one who does not work but believes in him who justifies the ungodly, his faith is counted as righteousness (Rom 3:27-28; 4:1-5 ESV).

In the context, Paul is proving that no one is counted righteous before God by means of the works of the law (obeying the law) but rather by faith in Christ. He then explores the contrast between works and faith by using the key term "boasting" (3:27; 4:2). If we could be counted righteous before God by works, then we would have grounds for boasting. But since no one is righteous by works (not because it is impossible in theory, but because it is impossible in practice, due to universal bondage to sin), no one after the Fall has any grounds for boasting.

Paul then appeals to the example of Abraham. What about Abraham? Did he have grounds for boasting? No, for he was counted righteous by faith, not by works. In order to have grounds for boasting, he would have had to be perfectly obedient to God.

It is here that Paul lays down an axiom: “To the one who works, his wages (ὁ μισθός) are not counted as a gift (κατὰ χάριτι) but as his due (κατὰ ὀφείλημα)” (Rom 4:4). What else is that but a definition of merit? Merit is when wages are bestowed, not according to grace, but according to what is owed. But here’s the point: it is a definition of merit given in the context of dealing explicitly with the question whether sinners can be righteous before God by works of the law. In context, “to the one who works” (ὁ ἐργαζόμενος) means “to the one who does the works (ἔργα) of the law.” Paul understood that, hypothetically, the Mosaic law demanded works and offered a reward on the basis of those works, not according to grace but according to what is owed. Ergo, he understood that merit was possible in principle under the Mosaic law.

In sum, the notion of potential merit in the Mosaic economy does not rest merely on big-picture thinking (seeing the Adam-Israel-Christ narrative structure). Paul himself explicitly recognized a legal principle of meritorious works in the Mosaic law: “To the one who works, his wages are not counted as a gift but as his due” (Rom 4:4). To be sure, it was a principle of merit that was never truly actualized except by Christ. As Paul makes clear, “none is righteous, no, not one,” for “by the works of the law no human being will be justified in his sight” (Rom 3:9, 20 ESV), and “the very commandment that was intended to bring life actually brought death” (Rom 7:10 NIV). Yet none of this undercuts the fact that the principle was there. If our theology is to be faithful to Paul, then we ought to recognize it as well.

I have finished answering five common misrepresentations of Kline’s view. I’m sure there are others too, but these are five that seem to be in the air at the moment.

Next, I want to ask, “Why was Kline so concerned about this issue?” It is clear that he saw the issue of works in the Mosaic economy as an important theological issue that had bearing on many issues in biblical theology and even practical implications for the life of the church. I will spell out five reasons it was important to Kline.

Part III: Five Reasons Why This Issue Was Important to Kline

Why was Kline so concerned to recognize that works was the controlling administrative principle of the Mosaic covenant? There are at least five reasons.

A. First Reason: The Blessings and the Curses

The first reason is that Kline perceived that if one denies the works principle in the Mosaic law, then one will view the blessings and curses of the Mosaic covenant as part of the administration of grace and promise, a mere administrative continuation of the Abrahamic covenant. Doing this will distort one’s understanding of the covenant of grace. If the conditionality of the Mosaic covenant (do this and live; blessing for obedience; curse for disobedience) is actually part of the covenant of grace, then that conditionality will change the role of good works or evangelical

obedience in the covenant of grace. Good works will necessarily play more than an evidentiary role and become a condition for receiving the blessings of the covenant of grace. Making good works a condition of receiving the blessings of the covenant of grace is in conflict with the purity of Paul's doctrine of justification by faith alone.

The rejection of the works principle in the Mosaic law leads logically to interpreting the blessings and curses of the law as God's way of dealing with his redeemed people in every epoch of the covenant of grace, not just in the old covenant, but also in the new.

"As he [= Norman Shepherd] develops the thesis that God's covenants are characterized by a continuum of governmental principle rather than by a works-grace contrast Shepherd affirms the unity of all these covenants, preredemptive and redemptive, specifically proposing that they all have in common both demand and promise" ("Of Works and Grace," 88).

"This tendency is displayed in the more immediate sphere of Murray's influence. In the teaching of his successor, Norman Shepherd, preredemptive and redemptive covenants were flattened into a continuum of promise and demand" ("Gospel until the Law," 435 and n9).

Here are some quotes from theologians whose denial of the Mosaic works principle leads them to such a continuum of promise and demand:

"The Mosaic covenant in respect of the condition of obedience is not in a different category from the Abrahamic. It is too frequently assumed that the conditions prescribed in connection with the Mosaic covenant place the Mosaic dispensation in a totally different category as respects grace, on the one hand, and demand or obligation, on the other. In reality there is nothing that is principally different in the necessity of keeping the covenant and of obedience to God's voice, which proceeds from the Mosaic covenant, from that which is involved in the keeping required in the Abrahamic" (John Murray, *The Covenant of Grace*, 22).

"In the Mosaic covenant, the Lord did not establish a covenant of works with his people. He did not establish a covenant on the basis of a principle that is the very opposite of that on which the Abrahamic covenant is founded Like the Abrahamic covenant, the Mosaic covenant has two parts, promise and obligation. In the Abrahamic covenant, the focus is on promise. In the Mosaic covenant, the focus is on obligation – but promise does not recede into the background The obedience required of Israel is not the obedience of merit, but the obedience of faith. It is the fullness of faith. Obedience is simply faithfulness to the Lord The Abrahamic and Mosaic covenants do not exhibit opposing principles of grace and merit, or of faith and works. In both covenants there are promises, and these promises are received by a living and active faith. In both covenants, there are warnings about the consequences of unbelief and disobedience The penalties threatened for disobedience in the Mosaic covenant are fully in line with this provision of the Abrahamic covenant. Threatened curses for disobedience do not transform either the

Abrahamic covenant or the Mosaic covenant into a covenant of works" (Norman Shepherd, *The Call of Grace*, 38-40).¹²

This has very practical implications for preaching. How should the blessing and curse passages in the Old Testament be preached to the new covenant people of God? Do we tell them, as Shepherd would, that they must be obedient to God and if they are not, they will be cursed? I would hope not. To preach that way would be to bring the new covenant people of God back under the bondage of the law that we have been delivered from in Christ. Paul says we are free from the curse of the law. He says that we have died to the law, and are no longer under its bondage and fear. We serve God in the new way of the Spirit, not in the old way of the letter.

"The irony of all this is that a position that asserts a continuum of 'grace' everywhere ends up with no genuine gospel grace anywhere. An approach that starts out by claiming that a works principle operates nowhere ends up with a kind of works principle everywhere. What this amounts to is a retreat from the Reformation and a return to Rome" ("Covenant Theology Under Attack").

B. Second Reason: The Merit of Christ

The second reason it was important to Kline to recognize a works principle in the Mosaic covenant is that failure to do so will make the biblical theologian less likely to recognize a works principle in other covenants, specifically the pre-Fall covenant with Adam and the pre-temporal covenant between the Father and the Son, aka, the *pactum salutis*.

"Rejection of the works principle in the old covenant tends to degenerate into a more general denial of the possibility of merit in the religious relationship and thus to a rejection of the principle of works in the original creation covenant with Adam" ("Gospel until the Law," 435).

For example, Daniel Fuller and Norman Shepherd took their denial of the law-gospel contrast to this next step, denying that God ever relates to humans on the basis of a works-principle, thereby denying the Adamic covenant of works and the merit of Christ.

"The very idea of merit is foreign to the way in which God our Father relates to his children" (Norman Shepherd, *The Call of Grace*, 39).

This is not a tight law of necessity. It is not as if all who reject Kline's particular formulation of the works principle in the Mosaic economy are necessarily bound to reject the Creator's covenant of works with the first Adam or the Father's covenant of works with Christ as the second Adam. But there is a tendency in that direction – and the reason for this is biblical-theological. Paul views the obedience of Christ in terms of the fulfillment of the Mosaic law (Rom 3:31; 10:4; Gal 4:4). There are strong biblical theological linkages from Adam to corporate Israel, and from corporate Israel to Christ. The latter connection is strongly present in Matthew's

¹² Norman Shepherd, *The Call of Grace: How the Covenant Illuminates Salvation and Evangelism* (Phillipsburg, N.J.: P&R, 2000).

Gospel, for example (Matt 1–4). When Paul wants to articulate the works principle as the key presupposition of his doctrine of justification, he quotes the works principle, not as found in the Adamic covenant, but as found in the Mosaic law (Lev 18:5). Thus, the biblical theologian who does not recognize the works principle in the Mosaic economy is less likely to be able to recognize it anywhere else.

If the very idea of merit is rejected in principle, then we must also reject the idea that the obedience of Christ was meritorious. Denying merit is like removing a load-bearing Jenga stick. Remove that one piece and the whole superstructure crumbles.

C. Third Reason: The Legibility of the Incarnation

Grasping the works principle in the Mosaic economy is crucial for a proper appreciation of the work of Christ, since the Mosaic law provided the historical context for the work of Christ, the fulfiller of the law. To explain this point, Kline relies heavily on Gal 4:4 where Paul says that Christ was "born of a woman, born under the law":

But when the fullness of the time had come, God sent forth His Son, born of a woman, born under the law, to redeem those who were under the law, that we might receive the adoption as sons (Gal 4:4-5 NKJV).

Kline sees deep significance in Gal 4:4 since it ties together all three key points where the works principle is present: Adam, Israel, Christ. The first phrase, "born of a woman," alludes to his universal role as the second Adam. The next phrase, "born under the law," alludes to his particular historical as the true Israel. But there is "congruence" (KP 352) between the two. The recapitulation of the Adamic covenant of works in the Mosaic economy is intended precisely to set the context for Christ's incarnation so that his identity as the true, obedient Israel might be understood as pointing to his more fundamental identity as the second Adam who passes the probation and earns the eternal reward for those whom he represents.

"The function of probationer that Christ assumed as the true Israel-Servant was more basically his in terms of his identity as second Adam (Rom 5:14; 1 Cor 15:45–47). [Note: In Gal 4:4, 'born under the law' identifies Christ as the second Israel, under the Torah covenant. 'Born of a woman' brings out his humanity and so suggests his second Adam status.] ... As advertised by his birth under the Torah covenant of works (Gal 4:4), Christ came to earth as one under the intratrinitarian covenant of works" (GOM 237 and 240 n33).

In *Kingdom Prologue*, Kline has another passage where he make this point under the heading "The Design of the Typal Kingdom." This is my favorite Kline quote of all time:

"A variety of purposes can be discovered to explain the insertion of the old covenant order and its typal kingdom into the course of redemptive history. Of central importance was the creation of the proper historical setting for the advent of the Son of God and his earthly mission (cf. Rom 9:5). In accordance with the terms of his covenant of works

with the Father he was to come as the second Adam in order to undergo a representative probation and by his obedient and triumphant accomplishment thereof to establish the legal ground for God's covenanted bestowal of the eternal kingdom of salvation on his people. It was therefore expedient, if not necessary, that Christ appear within a covenant order which, like the covenant with the first Adam, was governed by the works principle (cf. Gal 4:4). The typical kingdom of the old covenant was precisely that. Within the limitations of the fallen world and with modifications peculiar to the redemptive process, the old theocratic kingdom was a reproduction of the original covenantal order. Israel as the theocratic nation was mankind stationed once again in a paradise-sanctuary, under probation in a covenant of works. In the context of that situation, the Incarnation event was legible; apart from it the meaning of the appearing and ministry of the Son of Man would hardly have been perspicuous. Because of the congruence between Jesus' particular historical identity as the true Israel, born under the law, and his universally relevant role as the second Adam, the significance of his mission as the accomplishing of a probationary assignment in a works covenant in behalf of the elect of all ages was lucidly expressed and readily readable" (KP 352).

Conversely, denying the works principle in the Mosaic law will make it harder to see Christ's work as a meritorious fulfilling of the law in our place in order to earn heaven for his people.

D. Fourth Reason: Law Foundational to Gospel

Recognizing the works principle in the Mosaic economy enables one to see more clearly that the works principle is the bedrock judicial foundation of the gospel. As Kline put it so crisply: "Heaven must be earned" (KP 107). That is not a principle that God does away with in the gospel. Rather, he upholds it precisely through the gospel.

"Law is thus foundational to gospel; gospel-grace honors the demands of divine justice as definitively expressed in law covenant. In Rom 3:31 Paul makes this point forcefully: 'Do we then make the law of none effect through faith? God forbid; nay we establish the law.' The apostle is not concerned here with the normative nature of the Mosaic laws but with the law as a covenant governed by the principle of works in contrast to the gospel with its principle of grace. And even though he is arguing that we are justified not by works but by grace through faith, he insists emphatically on the continuing validity of the works principle as foundational to the gospel order. It is by the obedience of the one that the many are made righteous (Rom 5:19)" (GOM 237).

Grace is not that God lowers the standard to let us in to heaven despite his justice. Grace is that God provides a substitute who satisfies the just demands of the law in our place. That is why Paul says we "establish the (Mosaic) law" through the gospel (Rom 3:31). He can say that because he understands the Mosaic law fundamentally in terms of the works principle (Lev 18:5). Although we are righteous not by our own works done in obedience to the law, but by faith in Christ, Paul nevertheless "insists emphatically on the continuing validity of the works principle as foundational to the gospel order." Because Christ was born under the law and perfectly fulfilled it, faith in Christ actually upholds the law.

E. Fifth Reason: The Pedagogical Function of the Law

The fifth reason it was important to Kline to recognize the works principle in the Mosaic economy is that without it we have a less secure exegetical basis for the Reformational emphasis on the pedagogical use of the law. Defining the Mosaic law in purely gracious terms effectively annuls the pedagogical use of the law, that is, the law's function of showing us our inability and convicting us of our guilt.

“By exhibiting dramatically the situation of all mankind, fallen in and with Adam in the original probation in Eden, the tragic history of Israel under its covenant-of-works probation served to convict all of their sinful, hopeless estate. The Law thus drove men to Christ that they might be justified by faith. All were shut up in disobedience that God might have mercy on all (Rom 11:28-36; Gal 3:19-25)” (GHHM 128-29).

“In addition to calling attention to the probationary aspect of Jesus' mission, the works principle that governed the Israelite kingdom acted as the schoolmaster for Israel, convicting of sin and total inability to satisfy the Lord's righteous demands and thereby driving the sinner to the grace of God offered in the underlying gospel promises of the Abrahamic Covenant” (KP 353).

Did the Mosaic law demand obedience as the legal basis of obtaining life (Lev 18:5), or is that only a Jewish misunderstanding of the law? If the latter, one cannot make sense of the teaching of Paul that the Mosaic law-covenant was Israel's “pedagogue unto Christ” (Gal 3:24). One could try to get around this by claiming that it is not the Mosaic covenant but the universally-binding, trans-historical “moral law” that has this pedagogical function. But Paul has already blocked that move by defining what he means by “the law” (ὁ νόμος) in the context: it is the specific covenant that came 430 years after the Abrahamic promise (Gal 3:17); it is the historical expression of the law accompanied by the threat of a curse to the disobedient (Gal 3:10 quoting Deut 27:26) and a promise of life to the doers of the law (Gal 3:12 quoting Lev 18:5); it is the temporary guardian set over the minor children (Israel) “until the date set by the father” (Gal 4:1-2). Of course, there is universal application of this pedagogical function, even for Gentiles, as the Spirit uses the law to convince us of our inability to keep it, but the original reference is to the historical Mosaic covenant and its pedagogical role in redemptive history.

Kline gets unfairly criticized for his understanding of the Mosaic covenant. His motive was not to be an innovator but to listen carefully to Paul's teaching on the law and thereby provide better exegetical and biblical-theological support for the Reformation insight concerning the pedagogical use of the law.